

Message Text

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TO USDEL SECRETARY PRIORITY

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E.O. 11652:N/A

TAGS:EFIS, UR, CU

SUBJECT: SEIZED SOVIET TRAWLER AND RELEASE CUBAN TRAWLER

1. THE RELEASE FRIDAY IN BOSTON OF A CUBAN FISHING TRAWLER, SEIZED AUGUST 17 FOR ILLEGAL FISHING ON THE CONTINENTAL SHELF OFF CAPE COD, COULD RAISE QUESTIONS WHETHER WE ARE GIVING A POSITIVE SIGNAL TO THE CUBANS. SUCH SPECULATION COULD IN TURN RAISE QUESTIONS ABOUT THE SOVIET FISHING TRAWLER CURRENTLY BEING HELD IN NEW YORK, WHICH WILL PROBABLY BE SUBJECT TO A HEAVY FINE. THE SOVIETS COULD CITE THE SPECULATION THAT THE CUBAN CASE WAS RESOLVED ON A POLITICAL BASIS AND ASK FOR A POLITICAL RESOLUTION OF THEIR OWN TRAWLER CASE.

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2. IN FACT, THE RELEASE OF THE CUBAN VESSEL WAS STRICTLY

A JUSTICE DEPARTMENT DECISION, BASED ON THE MINIMAL EVIDENCE OF ILLEGAL FISHING. IN ORDER TO MAKE CLEAR THAT THERE WERE NO FOREIGN POLICY ASPECTS TO THE RELEASE, WE ARE TAKING THE PRESS LINE THAT:

(A) STATE WAS TOLD OF THE U.S. ATTORNEY'S DECISION AFTER IT WAS REACHED;

(B) THE U.S. ATTORNEY'S OFFICE IN BOSTON HAS MADE IT CLEAR THAT THE DECISION WAS BASED SOLELY ON THE LACK OF

EVIDENCE SUFFICIENT TO PRESS CHARGES;

(C) ANY FURTHER QUERIES SHOULD BE ADDRESSED TO JUSTICE.

3. WE HAVE ALSO ASKED THE COAST GUARD, WHICH APPARENTLY HAS DIFFERENCES WITH JUSTICE REGARDING THE DECISION, TO AVOID PUBLIC COMMENT WHICH COULD FEED SPECULATION THAT THE DECISION WAS POLITICAL. MAW

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